

## REMARKS

The undersigned has conducted a thorough review of the application and the outstanding office action to understand the issues at hand. Accordingly, amendments to the claims are presented herein. In particular, claims 1, 8 and 14 have been amended. Claim 9 was previously canceled. Claims 1-8 and 10-19 remain in the application. Support for the amendments to the claims is identified herein below. No new matter has been added. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, withdrawal of the final action, and allowance of the application, as amended, is respectfully requested.

### **Rejection under 35 U.S.C. §112**

Claim 1 recites a method of reading out an electronic image sensor that is subdivided into image points and wherefrom image points or groups of image points can be read out with a predetermined clock period, and organized into at least two quantities of image points and/or groups of image points whose elements can be read out at different scanning rates, the method comprising:

- selecting a region of interest (ROI) of the sensor for which the desired temporal resolution of the image is higher than that for a region outside the ROI of the sensor;

- collecting image information from the region outside the ROI for reading at a later stage; and

- separately reading each of the image points to provide an image, wherein the quantities of image points and/or groups of image points in the selected region are read out at a higher scanning rate than the scanning rate for quantities of image points and/or groups of image points in the region outside the ROI, and

- wherein a prolonged integration of an exposure in the region outside the ROI results in an improved local signal-to-noise ratio and a higher image quality

in the region outside the ROI.

Support for the amendments to claim 1 (similarly, for claims 8 and 14), can be clearly found in the specification on at least page 2, lines 33-34; page 3, lines 1-3 and 31-34; page 4, line 1 and 15-16; page 5, lines 19-20 and 26-28; and page 6, lines 8-9 and 16-18.

Claims 1, 8 and 14 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The office action indicates that “[t]he claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.” Applicant acknowledges the issue raised by this rejection and in response thereto has amended claim 1 to overcome this rejection for at least the following reasons.

As noted herein above, claim 1 has been amended, wherein the phrase “collecting and storing information” has been changed to simply read “collecting image information” which is clearly disclosed in the specification at least on page 2, lines 33-34 through page 3, line 1. The “image regions that are less frequently scanned” (referred to on page 2, line 34 of the specification) and the “less interesting region” (referred to on page 5, lines 19-20 of the specification) both correspond to the region (indicated by reference numeral 3 of FIG. 1) outside the ROI (See also for example the specification on page 6, lines 16-18).

In addition, on page 5, lines 26-28, the specification recites “[t]he image lines that are not read out and have not been addressed in a given clock period or cycle usually *remain unaffected* for further use.” Furthermore, on page 6, lines 8-9, the specification recites “[d]uring each pulse a corresponding quantity of charge is *additively collected* in the image points of the image sensor, said charge being carried

off when the image point is read out.” [Emphasis added]. Thus, for an image point located in the region 3 outside the ROI and during the occurrence of a pulse, charge is being collected (i.e., stored) on a corresponding image point. It is only during the reading of the corresponding image point in the region 3 outside the ROI, at a later time or stage, that the collected (i.e., stored) charge is carried off (i.e., read).

Accordingly, with respect to claim 1, the subject matter of the claim is supported by the specification as originally filed and thus complies with the written description requirement. No new matter has been introduced. The 35 U.S.C. § 112, paragraph 1 rejection thereof is now believed overcome and should be withdrawn.

Claims 8 and 14 have been amended in a similar manner as the amendment to claim 1. Accordingly, for similar reasons as stated herein above with respect to claim 1, the 35 U.S.C. § 112, first paragraph rejection of claims 8 and 14 is also now believed overcome. Withdrawal of the rejection is respectfully requested.

Accordingly, claims 1, 8 and 14 are allowable and an early formal notice thereof is requested.

Claims 2-7, 10-13 and 15-19 were rejected for the same reasons under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant acknowledges the issue raised by this rejection and in response thereto believes that the amended claims 1, 8 and 14 as discussed herein above have been sufficient to overcome this rejection. Accordingly, dependent claims 2-7, which depend from and further limit independent claim 1, are allowable as well. Dependent claims 10-13, which depend from and further limit independent claim 8, are allowable as well. Dependent claims 15-19, which depend from and further limit independent claim 14, are allowable as well. Withdrawal of the rejection is respectfully requested.

Accordingly, claims 2-7, 10-13 and 15-19 are allowable and an early formal notice thereof is requested.

### **Conclusion**

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or a continuation application.

It is clear from all of the foregoing that independent claims 1, 8 and 14 are in condition for allowance. Dependent claims 2-7 depend from and further limit independent claim 1, and therefore are allowable as well. Dependent claims 10-13 depend from and further limit independent claim 8, and therefore are allowable as well. Dependent claims 15-19 depend from and further limit independent claim 14, and therefore are allowable as well. The amendments herein are fully supported by the original specification and drawings as discussed herein; therefore, no new matter is introduced. Withdrawal of the final action and issuance of an early formal notice of allowance of claims 1-8 and 10-19 is requested.

Respectfully submitted,



Michael J. Balconi-Lamica  
Registration No. 34,291

Dated: 10-03-2006

21004 Lakeshore Dr. W.  
Spicewood, Texas 78669  
Telephone: 512-461-2624  
Facsimile: 512-264-3687  
File: DE000189US

a-32658.121